

ZB# 05-67

**Lewis Sign Co.
(for Strauss Family)**

9-1-38.21

ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR
555 UNION AVENUE
NEW WINDSOR, N.Y. 12553
GRANTED 12-12-05

05-67

LEWIS SIGN CO. (for Straus Family)
59 WINDSOR HWY. (9-1-38.21)

**OFFICE OF THE BUILDING INSPECTOR
TOWN OF NEW WINDSOR
ORANGE COUNTY, NEW YORK**

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: August 22, 2005

APPLICANT: Lewis Sign Company
26 Fluorescent Drive
Slate Hill, New York 10973-9609

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATE: August 19, 2005

FOR : Straus Family Capital Group

LOCATED AT: 59 Windsor Highway

ZONE: C Sec/Blk/ Lot: 9-1-38.21

COPY

DESCRIPTION OF EXISTING SITE: MEDICAL CENTER

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

1. 300-45 A1 FREESTANDING SIGNS – 1 PERMITTED 64 SQ.FT. TOTAL OF ALL FACES AND NOT MORE THAN 15' ABOVE GROUND LEVEL. PROPOSED SIGN (224 SQ.FT. & 19' HIGH) REQUIRES A VARIANCE OF 160 SQ.FT. AND 4' HEIGHT.


BUILDING INSPECTOR

	PERMITTED	PROPOSED OR AVAILABLE:	VARIANCE REQUEST:
ZONE: C	USE:		
SIGN:			
FREESTANDING:	1 - 64 Sq.Ft.	224 Sq.Ft. Total	160 Sq.Ft.
HEIGHT:	15'	19'	4'
WIDTH:			
WALL SIGNS:			
TOTAL ALL SIGNS:			
FEET FROM ANY LOT LINE:			

cc: Z.B.A., APPLICANT, FILE, W/ATTACHED MAP

PLEASE ALLOW FIVE TO TEN DAYS TO PROCESS
IMPORTANT
YOU MUST CALL FOR ALL REQUIRED INSPECTIONS OF CONSTRUCTION

Other inspections will be made in most cases but those listed below must be made or Certificate of Occupancy may be withheld. Do not mistake an unscheduled inspection for one of those listed below. Unless an inspection report is left on the job indicating approval of one of these inspections it has not been approved and it is improper to continue beyond that point in the work. Any disapproved work must be reinspected after correction.

1. When excavating is complete and footing forms are in place (before pouring.)
2. Foundation inspection. Check here for waterproofing and footing drains.
3. Inspect gravel base under concrete floors and underslab plumbing.
4. When framing, rough plumbing, rough electric and before being covered.
5. Insulation.
6. Final inspection for Certificate of Occupancy. Have on hand electrical inspection data and final certified plot plan. Building is to be completed at this time. Well water test required and engineer's certification letter for septic system required.
7. Driveway inspection must meet approval of Town Highway Superintendent. A driveway pond may be required.
8. \$50.00 charge for any site that calls for the inspection twice.
9. Call 24 hours in advance, with permit number, to schedule inspection.
10. There will be no inspections unless yellow permit card is posted.
11. Sewer permits must be obtained along with building permits for new houses.
12. Septic permit must be submitted with engineer's drawing and percolation test.
13. Road opening permits must be obtained from Town Clerk's office.
14. All building permits will need a Certificate of Occupancy or a Certificate of Compliance and there is no fee for this.

RECEIVED
AUG 19 2005
BUILDING DEPARTMENT

FOR OFFICE USE ONLY:
Building Permit # PA2005-918

**AFFIDAVIT OF OWNERSHIP AND/OR CONTRACTOR'S COMP & LIABILITY INSURANCE CERTIFICATE IS
REQUIRED BEFORE THE BUILDING PERMIT APPLICATION WILL BE ACCEPTED AND/OR ISSUED**

PLEASE PRINT CLEARLY - FILL OUT ALL INFORMATION WHICH APPLIES TO YOU

Owner of Premises ARI STRAUS FAMILY CAPITAL GROUP
Address 59 WINDSOR Highway Phone # 914)882-9910
Mailing Address New Windsor NY 12553 Fax # 914)328-7115
Name of Architect N/A
Address _____ Phone _____
Name of Contractor Lewis Sign Co. LLC

Address 26 Fluorescent Drive Phone 355-2651
State Hill NY 10973
State whether applicant is owner, lessee, agent, architect, engineer or builder Sign Contractor
If applicant is a corporation, signature of duly authorized officer ARI STRAUS
(Name and title of corporate officer)

1. On what street is property located? On the EAST side of WINDSOR Highway
and THE CORNER OF (N, S, E or W) from the intersection of RUSCETTI ROAD
2. Zone or use district in which premises are situated C Is property a flood zone? Y (N)
3. Tax Map Description: Section 9 Block 1 Lot 38.21
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction. RYLON FOR
a. Existing use and occupancy _____ b. Intended use and occupancy MEDICAL CTR.
5. Nature of work (check if applicable) ☐ New Bldg. ☐ Addition ☐ Alteration ☐ Repair ☐ Removal ☐ Demolition ☒ Other SIGN
6. Is this a corner lot? YES
7. Dimensions of entire new construction. 01A HT: 19' SIGN: 16' HT 6' WIDTH
01A Sq. Ftg: 96' PER SIDE
8. If dwelling, number of dwelling units: N/A Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____ Heating Plant: Gas _____
Electric/Hot Air _____ Hot Water A If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use MEDICAL CENTER
ek #16925
#50
10. Estimated cost \$770- Fee \$50-

ZONING BOARD

____/____/____
date

APPLICATION FOR BUILDING PERMIT
TOWN OF NEW WINDSOR, ORANGE COUNTY, NEW YORK
Pursuant to New York State Building Code and Town Ordinances

Building Inspector: Michael L. Babcock
Asst. Inspectors: Frank Liel & Louis Kryshear
New Windsor Town Hall
555 Union Avenue
New Windsor, New York 12553
(845) 563-4618
(845) 563-4695 FAX

FreeSTANDING
- Pylon -

Bldg Insp Examined _____
Fire Insp Examined _____
Approved _____
Disapproved _____
Permit No. _____

INSTRUCTIONS

- A. This application must be completely filled in by typewriter or in ink and submitted to the Building Inspector.
- B. Plot plan showing location of lot and buildings on premises, relationship to adjoining premises or public streets or areas, and giving a detailed description of layout of property must be drawn on the diagram, which is part of this application.
- C. This application must be accompanied by two complete sets of plans showing proposed construction and two complete sets of specifications. Plans and specifications shall describe the nature of the work to be performed, the materials and equipment to be used and installed and details of structural, mechanical and plumbing installations.
- D. The work covered by this application may not be commenced before the issuance of a Building Permit.
- E. Upon approval of this application, the Building Inspector will issue a Building Permit to the applicant together with approved set of plans and specifications. Such permit and approved plans and specifications shall be kept on the premises, available for inspection throughout the progress of the work.
- F. No building shall be occupied or used in whole or in part for any purpose whatever until a Certificate of Occupancy shall have been granted by the Building Inspector.

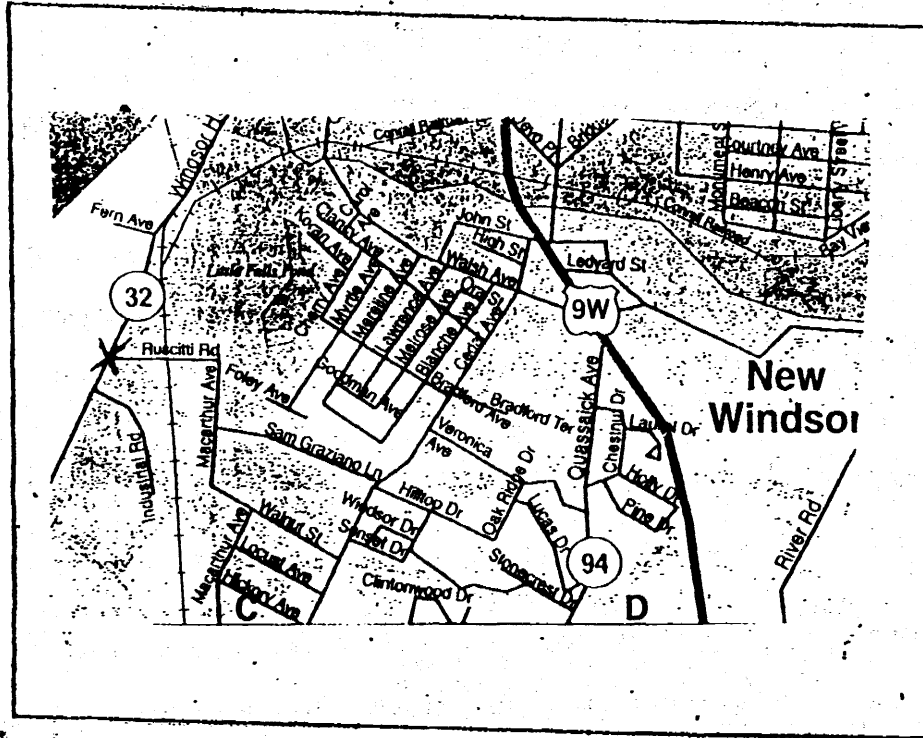
APPLICATION IS HEREBY MADE to the Building Inspector for the issuance of a Building Permit pursuant to the New York Building Construction Code Ordinances of the Town of New Windsor for the construction of buildings, additions, or alterations, or for removal or demolition or use of property as herein described. The applicant agrees to comply with all applicable laws, ordinances, regulations and certifies that he is the owner or agent of all that certain lot, place or parcel of land and/or building described in this application and if not the owner, that he has been duly and properly authorized to make this application and to assume responsibility for the owner in connection with this application.

Shaulene DiDuzio, agent DEVITT'S MEDICAL GROUP
(Signature of Applicant) (Address of Applicant) 59 WINDSOR Highway,
see attached ARI STRAUS Family CAPITAL Group N.W.
(Owner's Signature)

PLOT PLAN

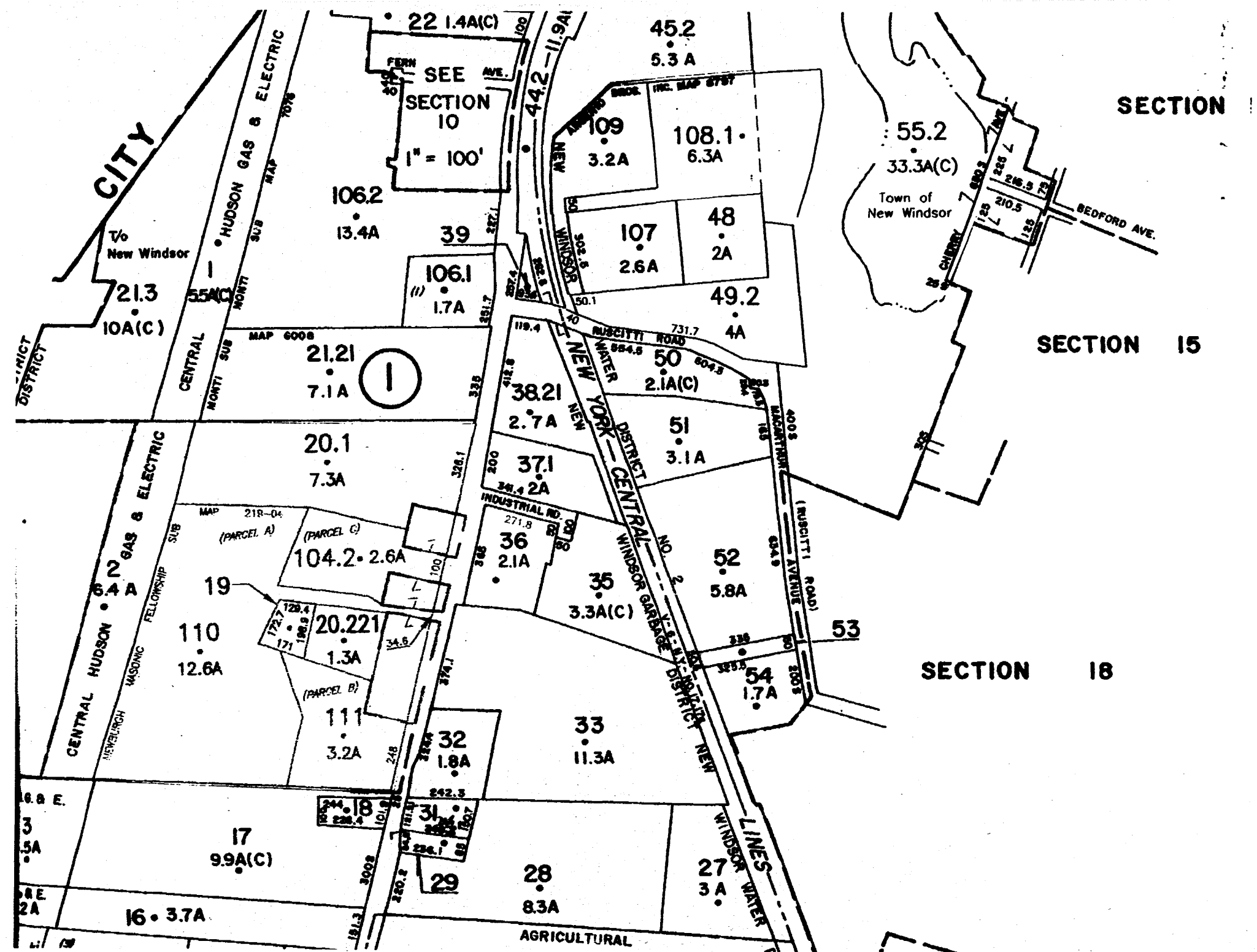
NOTE:

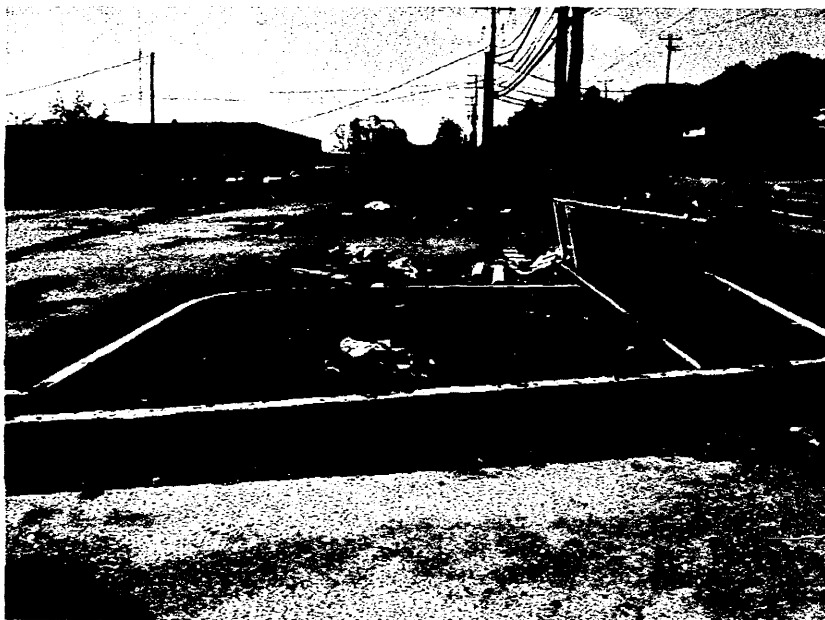
Locate all buildings and indicate all set back dimensions. Applicant must indicate the building line or lines clearly and distinctly on the drawings.



SECTION 15

SECTION 18





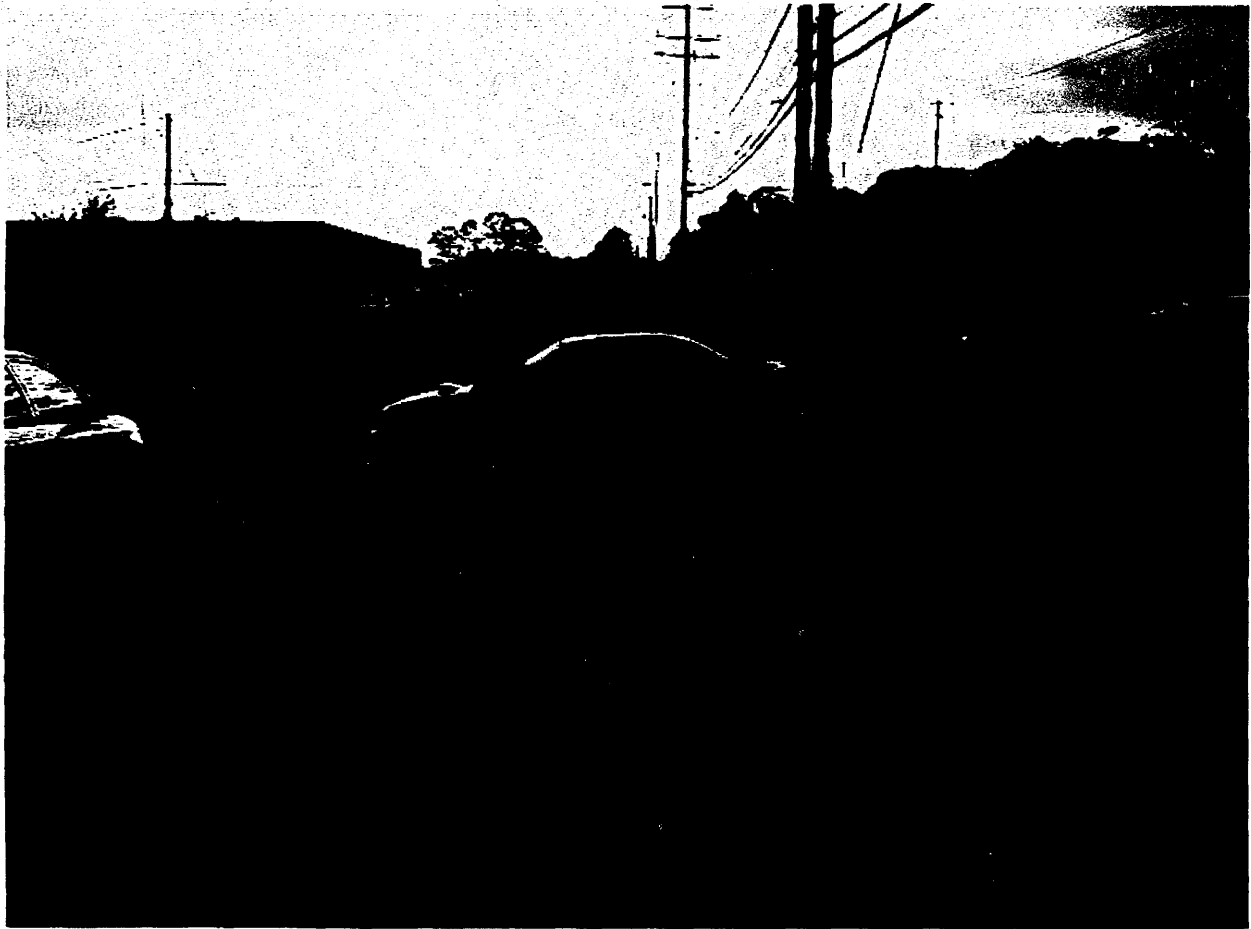
SHARLENE

From: <JToffsite@aol.com>
To: <Sharlene@Lewissigns.com>
Cc: <shardinunzio@yahoo.com>
Sent: Friday, November 11, 2005 4:36 PM
Attach: PB110001.JPG; PB110002.JPG; PB110003.JPG; PB110004.JPG; PB110005.JPG;
PB110006.JPG; PB110008.JPG
Subject: Devitt's

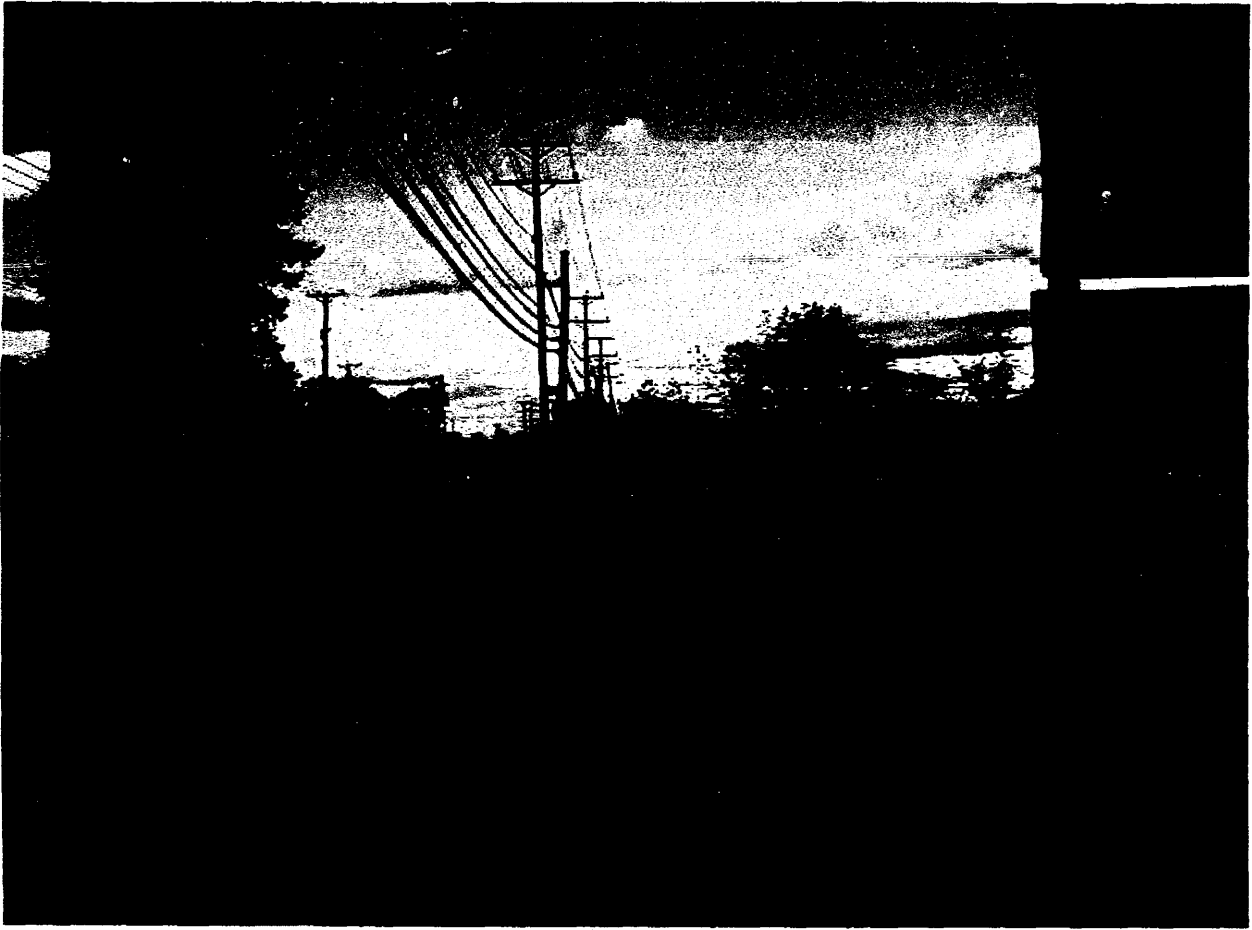
Sharlene, here your pictures.

Thanks Jim















Devitt's medical
center



Hudson
Valley
Imaging

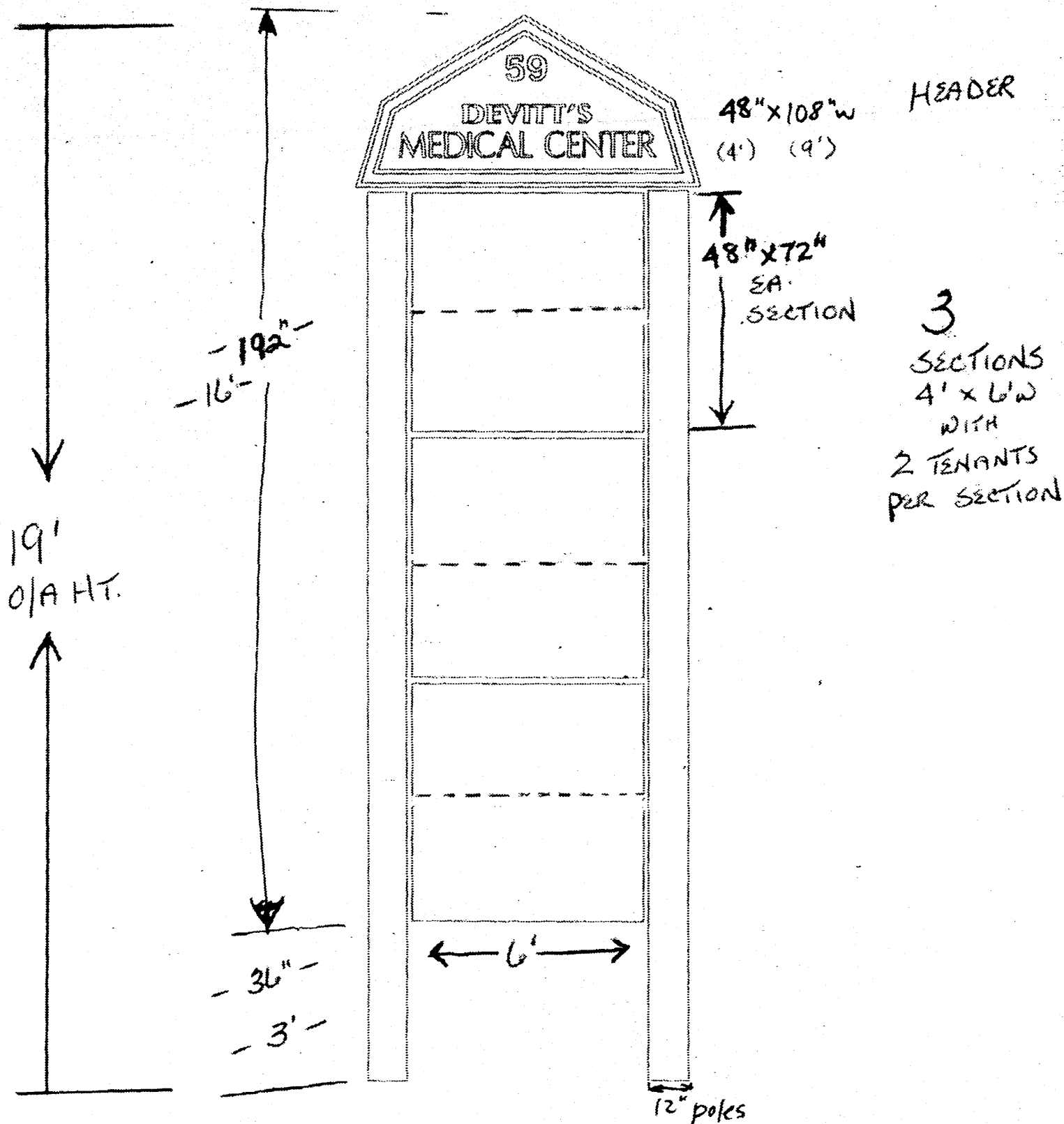
59
Windsor
Highway

**HUDSON VALLEY
IMAGING**

**ACCESS MEDICAL
GROUP**

**DEVITT'S
MEDICAL CENTER**

*2 1/2' x 10' Alum tube sign w/frame
letters 7" tall*



59

**DEVITT'S
MEDICAL CENTER**

ACCESS

MEDICAL GROUP

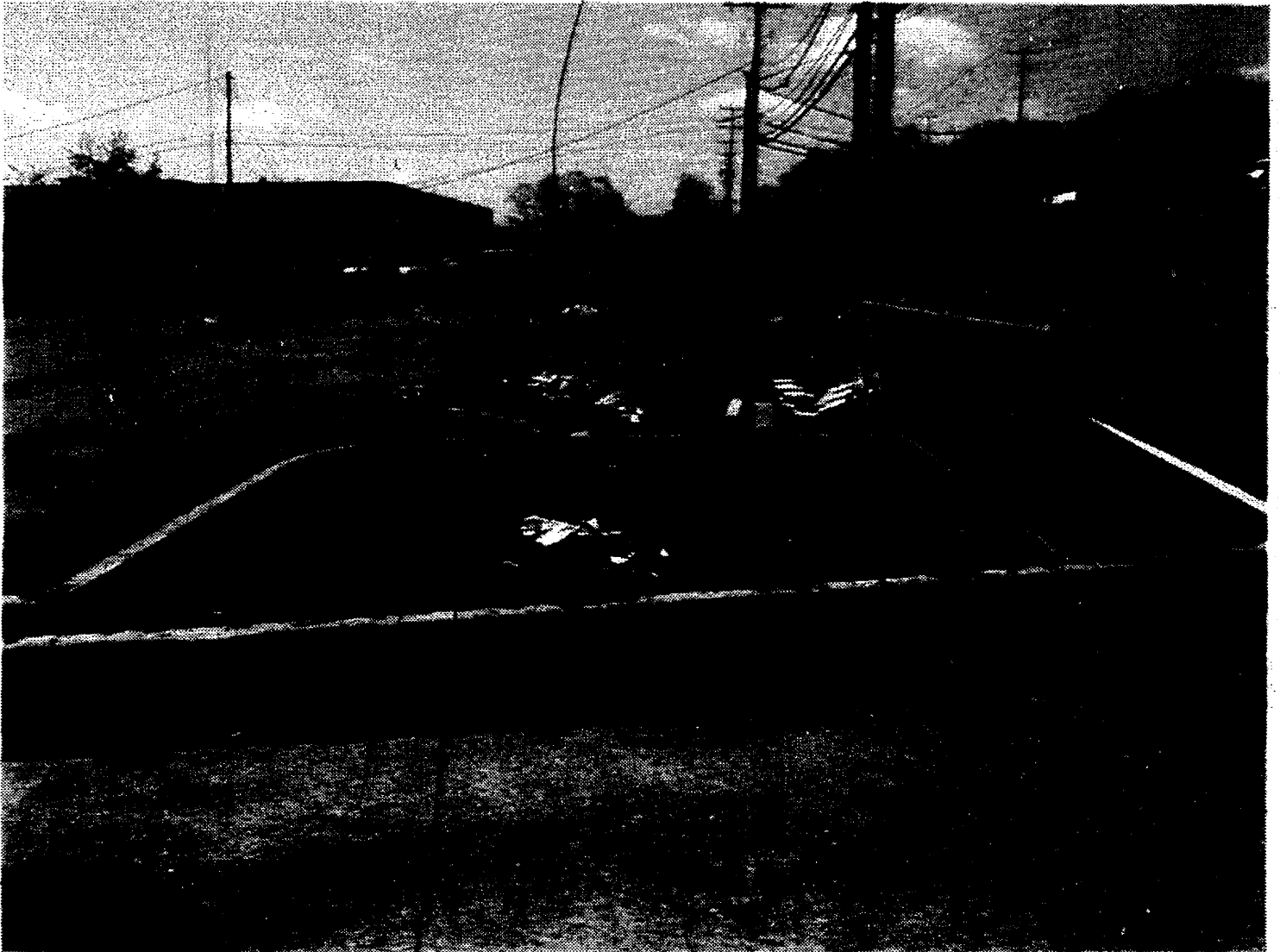
1000 ROUTE 100, SUITE 100, NEW YORK, NY 10001

Cancer Center

NEW YORK

DIABETES
CENTER

old location of
Dovitts sign years ago



free stand
sign location

Devitt's medical center



Electric from blue

MAX 6' wide

← 12' →

Free Standing sign location



Some black top
in this area

Sign Location

Top Part

Devitt's medical center
address 59 Rte 32
Room for ~~6~~ 6 Tenni
Tennants 6
Colors? BLUE

NEW WINDSOR ZONING BOARD OF APPEALS

SBL: 9-1-38.21

In the Matter of the Application of

**MEMORANDUM OF
DECISION GRANTING**

LEWIS SIGN COMPANY (for Straus Family)

SIGN

CASE #05-67

**WHEREAS, Charlene Dinunzio agent for the applicant represented the , owner(s) of 59 Windsor Highway, New Windsor, New York, 12553, has made application before the Zoning Board of Appeals for a/an Request for 160 square ft. area and;
4 ft Height variance for Free-standing sign at 59 Windsor Highway in a C Zone (9-1-38.21)**

WHEREAS, a public hearing was held on December 12, 2005 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, the Applicant appeared on behalf of this Application; and

WHEREAS, there was one spectator appearing at the public hearing; and

WHEREAS, one person spoke in opposition to the Application; and

WHEREAS, a decision was made by the Zoning Board of Appeals on the date of the public hearing granting the application; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor sets forth the following findings in this matter here memorialized in furtherance of its previously made decision in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Times Herald Record, also as required by law.
2. The Evidence presented by the Applicant showed that:
 - (a) The property is a commercial property located in a neighborhood of commercial properties on a busy state highway in a C zone.
 - (b) The applicant has converted an existing building to a medical office building and now seeks to put a sign on the premises that will advertise the existence of the occupants of the renovated structure.

- (c) The sign will be internally lit with a steady illumination. No neon will be used nor will it be flashing.
- (d) The sign will be located in the same location as was the previous sign.
- (e) No substantial trees or vegetation will be removed.
- (f) The sign will not create the ponding or collection of water or divert the flow of water drainage.
- (g) The building is located approximately 100 feet from the roadway.
- (h) A larger sign than is permitted by the statute is necessary for motorists on the busy high-speed adjacent roadway can identify the building.
- (i) The objectant was the owner of an adjacent business who objected that the sign would obstruct the view of motorists for his business. The applicant's representative agreed to discuss this matter further with the objectant.
- (j) The sign will be located in such a fashion that it will not interfere with the safe operation of motor vehicles on the adjacent state highway.

WHEREAS, The Zoning Board of Appeals of the Town of New Windsor makes the following conclusions of law here memorialized in furtherance of its previously made decision in this matter:

1. The requested variance(s) will not produce an undesirable change in the character of the neighborhood or create a detriment to nearby properties.
2. There is no other feasible method available to the Applicant that can produce the benefits sought.
3. The variance(s) requested is/are substantial in relation to the Town regulations but, nevertheless, are warranted.
4. The requested variance(s) will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.
5. The difficulty the Applicant faces in conforming to the bulk regulations is/are self-created but, nevertheless, should be allowed.
6. The benefit to the Applicant, if the requested variance(s) is/are granted, outweighs the detriment to the health, safety and welfare of the neighborhood or community.

7. The requested variance(s) are/is appropriate and are/is the minimum variance(s) necessary and adequate to allow the Applicant relief from the requirements of the Zoning Local Law and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.
8. The interests of justice will be served by allowing the granting of the requested area variance(s) provided that the applicant locates the sign as far to the rear as is permissible according to the site plan previously granted by the Planning Board.

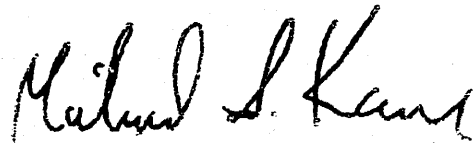
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a request for a Request for 160 square ft. area and; 4 ft Height variance for Free-standing sign at 59 Windsor Highway in a C Zone (9-1-38.21) as sought by the Applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and/or Building Inspector and Applicant.

Dated: December 12, 2005



Chairman

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
OFFICE
845-563-4615**

MEMORANDUM

TO: LARRY REIS, COMPTROLLER
FROM: MYRA MASON, SECRETARY TO THE ZONING BOARD
DATE: MARCH 28, 2006
SUBJECT: ESCROW REFUND

**PLEASE ISSUE A CHECK IN THE AMOUNT OF \$ 286.81 TO CLOSE OUT
ESCROW FOR:**

ZBA FILE #05-67

NAME & ADDRESS:

**Lewis Signs (for Straus Family Capital Group)
26 Fluorescent Drive
Slate Hill, NY 10973**

THANK YOU,

MYRA

L.R.03-28-2006



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS
RECORD OF CHARGES & PAYMENTS**



FILE #05-67 TYPE: SIGN TELEPHONE: 914-882-9910 joe wilson

APPLICANT:

Lewis Signs (for Straus Family Capital Group)
26 Fluorescent Drive
Slate Hill, NY 10973

RESIDENTIAL:	\$ 50.00	CHECK # _____
COMMERCIAL	\$ 150.00	CHECK # <u>17163</u>
INTERPRETATION	\$ 150.00	CHECK # _____

ESCROW: COMMERCIAL \$500.00 CHECK # 16924

~~~~~

|  | MINUTES              | ATTORNEY   |
|--|----------------------|------------|
|  | <u>\$5.50 / PAGE</u> | <u>FEE</u> |

**DISBURSEMENTS:**

|                              |           |       |                 |                 |
|------------------------------|-----------|-------|-----------------|-----------------|
| PRELIMINARY:                 | <u>6</u>  | PAGES | \$ <u>33.00</u> | \$ <u>35.00</u> |
| 2 <sup>ND</sup> PRELIMINARY: | —         | PAGES | \$ _____        | \$ _____        |
| PUBLIC HEARING:              | <u>11</u> | PAGES | \$ <u>60.50</u> | \$ <u>35.00</u> |
| PUBLIC HEARING:              | —         | PAGES | \$ _____        | \$ _____        |

LEGAL AD: Publish Date: 11/25      \$ 49.69

TOTAL:      \$ 143.19      \$ 70.00

~~~~~

ESCROW POSTED: \$ 500.00
LESS: DISBURSEMENTS: \$ 213.19

AMOUNT DUE: \$ _____

REFUND DUE: \$ 286.81

Cc:

L.R. 03-28-2006

LEWIS_SIGN_CO._(FOR_STRAUS_FAMILY_CAPITAL)_(05-67)

MR. KANE: Request for 160 Square foot area and 4 ft. height variance for freestanding sign at 59 Windsor Highway.

Ms. Charlene DiNunzio appeared before the board for this proposal.

MR. KANE: Just like the preliminary, you have to repeat yourself but this is official.

MS. DINUNZIO: We're requesting 160 square feet of the allotted 64 square foot of the signage to allow six signs for the tenants in that medical facility. It's going up directly across from where the old sign was, it's 19 feet high, it will be directly illuminated in order to provide better illumination, we found the indirect illumination is sometimes very tricky to read, it's an extremely busy highway that it's on, it's in keeping with the other signs along that, as a matter of fact.

MR. KANE: No flashing neon?

MS. DINUNZIO: No, strictly just lit so people can read it, large enough because, it will be dealing with seniors.

MR. KRIEGER: Interior illumination?

MS. DINUNZIO: Yes, it's going directly across from where the other sign was located. I have pictures indicating that when you pull up there's plenty of visibility on both sides so you can see facing Newburgh and facing Vails Gate. We're not imposing on any easements, there's no substantial vegetation removal, no water runoff or hazards.

MR. KANE: You learn fast.

MS. DINUNZIO: Basically just oversized to make it visible for the tenants. A good portion of the sign is also the header to show, you know, the direction, the location of the plaza.

MR. KANE: Just to get some information, how far off the street is the building?

MS. DINUNZIO: Building's way back, it's a new building, it's set way back though, it's quite, not, you know, tremendous but probably oh gosh 100 feet.

MR. KANE: So the changing the sign for the height and for the area on it is that you're on an extremely busy highway, everybody there is going about 50 or so and it needs to be big enough for them to see it coming down.

MS. DINUNZIO: Exactly.

MR. KANE: And enough to get the amount of doctors you have in that place?

MS. DINUNZIO: Right.

MR. KRIEGER: Approximately, how many offices, how many doctors?

MS. DINUNZIO: I have no idea, it's huge though inside, I know they have an imaging center, they have an OB/GYN center, they have a number of doctor's offices, they have--

MR. BABCOCK: It's not even completely built out yet.

MR. KANE: Fair to say that somewhere between 10 and 20 employees working in there?

MS. DINUNZIO: Oh, yeah, more than that, definitely, closer to 50. And we may even through time have to

split the sign to, you know, so it may get smaller but that--

MR. KANE: Since you answered all my questions I'll open it up to the public and see if there's anybody from the public here for this hearing. Please come forward, state your name, address and ask whatever questions you have.

MR. FREEDWALD: My name is Carl Freedwald, the business I'm here about is 41 Windsor Highway, Screen Gems directly across the street from the medical center. I'm here to object to the size of the sign. I had no objections to the sign if it was offset a little bit more, she can have it as high as she wants, sky's the limit.

MS. DINUNZIO: Offset, what do you mean?

MR. FREEDWALD: In further.

MS. DINUNZIO: Then it wouldn't be visible from the road.

MR. KANE: You can still, let the gentleman finish.

MR. FREEDWALD: I have some pictures that I took from Route 32 going south, going north and it clearly shows with that larger sign it's going to block the visibility of my building going down, so I'd like to present them to you. I also have pictures of the signs that they have there now and as you see the sign that they have there now would be, that's fine with me but higher going down no and I do believe that they should be in a little bit further, I mean, if she wants the variance for the height I would like a little consideration where it would be placed in about five feet.

MS. DINUNZIO: Okay, I'm sure we could accommodate

that.

MR. KANE: With that accommodation you feel that--

MS. DINUNZIO: Did you see the markings?

MR. FREEDWALD: I got pictures of the markings.

MR. KANE: If you look here on these pictures you'll see.

MR. REIS: You have on the right side.

MS. LOCEY: Is this existing some sort of sign is that where it's going?

MS. DINUNZIO: No, it's going on the other side of the driveway where the old sign used to be which was I believe about the same height.

MR. KANE: Right where the stakes are on the other side.

MR. FREEDWALD: Here's the stakes, the stakes are right here.

MS. DINUNZIO: You'd like us to come down?

MR. FREEDWALD: I would like you to go in further.

MS. DINUNZIO: Sure.

MR. FREEDWALD: And the problem that I noticed is that when they formed this here they didn't leave you much area for you to put a sign in and I don't know how but it's a lot thinner when you get to this here. If I could, I'm sure we could agree on something.

MS. DINUNZIO: Our problem is it's getting cold, it's getting really cold.

MR. FREEDWALD: I'm twice your age, I get cold too.

MR. KANE: So you have no problem moving the sign back?

MS. DINUNZIO: No, of course not.

MR. KANE: Because the decision will be made tonight. We can always put that in the decision that that's mandatory for it to be moved back.

MR. FREEDWALD: Well, I'd just like to come to an agreement with that on site I mean you know we're talking a couple feet, it's this much just not going to make it I'm saying five feet.

MS. DINUNZIO: Five feet is fine.

MR. KANE: I heard the five foot, I don't have a problem because well we won't put them off tonight with this but--

MR. FREEDWALD: That seems perfectly okay to me.

MS. DINUNZIO: Can we approve it providing you and I and Jim and Joe--

MR. FREEDWALD: I've got veto power on this, yeah, good, I'll take the veto power.

MS. DINUNZIO: If we can all get together.

MR. KANE: Well, the only way that can happen is if we postpone this hearing and we table it which means you're not coming back here until January.

MR. FREEDWALD: It's three weeks.

MS. DINUNZIO: We've been waiting for four months.

MR. FREEDWALD: Once it gets done it can't be changed, three weeks is not an unreasonable request. You've known about this, it's been staked out.

MS. DINUNZIO: Now you're really stalling me, you never said anything until tonight.

MR. FREEDWALD: I called you last week and I asked you to fax this over but I didn't know that I was supposed to make the request to you, I thought I was coming here, you said I had public comment.

MS. DINUNZIO: I said if you have any questions please contact me.

MR. FREEDWALD: I had questions but I wanted it to the board not you, I'm sorry that I misunderstood.

MS. DINUNZIO: Me too.

MS. LOCEY: Where is your business?

MR. FREEDWALD: Screen Gems directly across the street.

MS. DINUNZIO: How big a business are you?

MR. FREEDWALD: 3,200 square feet there, I'm right there.

MS. DINUNZIO: And you don't think that you're going to be seen from ours?

MR. FREEDWALD: Here's the pictures coming down, you're pretty much blocking me off now, you're just getting the top of me.

MS. DINUNZIO: Don't people know where you are?

MR. FREEDWALD: Sure they do but they know where you are too.

MR. KANE: You're opening doors you don't want to open.

MR. FREEDWALD: This is not ice cream, that's not an impulse item, you know, you're going to a doctor.

MS. DINUNZIO: Mike, are we okay with the parking lot?

MR. BABCOCK: You can't put it out in the parking lot, it's got to go within that thing so I mean there's, it's limited.

MR. FREEDWALD: May I see your picture?

MR. BABCOCK: It's going to go within this area.

MS. DINUNZIO: Which is where the old sign was.

MR. FREEDWALD: Yeah.

MR. BABCOCK: They can't go outside of this area.

MR. FREEDWALD: He's got a better picture where I was telling you.

MR. BABCOCK: The most, this is the area, it's curbed, they can't go outside of that, I don't know if that makes it, if you can see that any better, that's the area, you know, they're saying they want to put it here, what he wants to do is move it back.

MS. DINUNZIO: That's where the old sign was that was equally as tall, equally as big.

MR. FREEDWALD: No, it wasn't.

MS. DINUNZIO: Sure it is, they just put it up down the road, it's still there.

MR. FREEDWALD: See it, I don't see it.

MS. DINUNZIO: It's there, you don't have it in the picture but it's there.

MR. FREEDWALD: I've got lots of pictures.

MS. LOCEY: When you say move back, I don't understand.

MR. BABCOCK: Farther off the road.

MR. KANE: Take these two and move them closer to the building.

MR. BABCOCK: You can see where the two stakes are.

MS. LOCEY: This way?

MS. DINUNZIO: No, inside, back, no, no, towards the other way, that way, right.

MS. LOCEY: You don't have five feet and my question is where is this proposed sign as compared to this sign, the existing?

MS. DINUNZIO: Across the driveway.

MS. LOCEY: Directly across?

MS. DINUNZIO: It's back a little further.

MS. LOCEY: Well, if that's the case this building is clearly visible and if your, if the new sign is directly across or further back towards the building than this sign then his building is visible and I don't know, I'm trying to figure out where you say back and forth and--

MS. DINUNZIO: Back towards the building.

MR. FREEDWALD: This one will help you better.

MS. DINUNZIO: But you're right there on the road.

MR. FREEDWALD: That's where people are on the road.

MS. DINUNZIO: But you're in a limited spot if you're driving.

MS. LOCEY: I don't see the existing sign in this.

MR. FREEDWALD: Would you like me to point it out?

MR. BABCOCK: Mr. Chairman, when you're coming down 32 and you're looking at Screen Gems' building no matter where you're at some point in time no matter where this sign is whether it's five foot back or where they propose it's going to block him out, I mean, it's 19 feet high, you're sitting in a car, so as you're coming down at some point in time when you get lined up with Screen Gems whether it's here and you're farther up the road or closer at some point in time it's going to do the same thing.

MR. KANE: Sure, I believe that with any sign.

MS. DINUNZIO: We also have telephone poles to deal with as well that are going to be right in the way so we're trying.

MR. FREEDWALD: It's going to block me no matter what and I just thought I'd try and limit it the blockage that I'm going to get there.

MR. BABCOCK: The only issue is is that the size of the the height of the sign whether it was 15 feet or 19 feet I don't think makes a difference.

MR. KANE: I don't think it will make a difference.

MR. FREEDWALD: But it clearly does in the pictures

that the signs that are there now the 19 foot is going to block it.

MS. DINUNZIO: No because you're going to be able to see on the either side.

MR. KANE: Not going to lose control, we're not going to have a debate. Do you have anything else to add?

MR. FREEDWALD: Nothing, not at all, thank you.

MR. KANE: Anybody else?

MR. REIS: Mr. Chairman--

MR. KANE: At this point, we'll close the public portion of the hearing and ask Myra how many mailings we had.

MS. MASON: On November 21, I mailed out 17 envelopes and had no response.

MS. DINUNZIO: We had one come back.

MR. REIS: Can we just clarify something here, Charlene is your name?

MS. DINUNZIO: Yes.

MR. REIS: The sign is now planned for here?

MS. DINUNZIO: There's a better one, yes, it's right here.

MR. REIS: To accommodate the controversy here I don't know what this is but looks to me about three to four feet, can you move it back another two or three feet?

MS. DINUNZIO: Of course.

MR. REIS: To accommodate your neighbor?

MS. DINUNZIO: Yes, as far back as we can get.

MR. KANE: Any other questions?

MR. REIS: Accept a motion?

MR. KANE: Yes, I will.

MR. REIS: I'll make a motion that we grant Lewis Sign Company for the Straus Family Capital their request for 160 foot square foot area and 4 foot height variance for a freestanding sign at Windsor Highway to accommodate the neighbor to move it back as far as possible a minimum of--

MR. KANE: To the curb.

MR. REIS: --to the curb if necessary.

MS. DINUNZIO: Is there any setback with the curb?

MR. BABCOCK: No, that's fine.

MR. REIS: We don't know how far but as far as possible to the curb.

MR. KANE: That's the motion.

MS. LOCEY: Second that motion.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: December 12, 2005

PROJECT: Lewis Sign Co (for Straus Family Capital) TBA # 05-67
P.B.# _____



USE VARIANCE: _____ NEED: EAF _____ PROXY _____

LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

PUBLIC HEARING: STATEMENT OF MAILING READ INTO MINUTES ☒

VARIANCE APPROVED: M) 5 S) 1 VOTE: A 5 N 0.

GANN A
LOCEY A
BROWN A
~~MCDONALD~~ _____
REIS A
KANE A

CARRIED: Y ☒ N _____.

to move sign back as

TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

PUBLIC HEARING FOR: Levis Sign (for Straus Family Capital)

DATE: December 12, 2005

SIGN-IN SHEET

	NAME	ADDRESS	PHONE NUMBER
1.	Carl Friedwald	(Screen Gems)	Presented Photos
2.			
3.			
4.			
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
13.			
14.			
15.			
16.			
17.			
18.			
19.			
20.			

**ZONING BOARD OF APPEALS: TOWN OF NEW WINDSOR
COUNTY OF ORANGE: STATE OF NEW YORK**

LEWIS SIGN CO. (for Straus Family Capital)

#05-67

X

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

MYRA L. MASON, being duly sworn, deposes and says:


That I am not a party to the action, am over 18 years of age and reside at 67 Bethlehem Road, New Windsor, NY 12553.

That on the 21st day of **NOVEMBER**, 2005, I compared the 17 addressed envelopes containing the Public Hearing Notice pertinent to this case with the certified list provided by the Assessor's Office regarding the above application for a variance and I find that the addresses are identical to the list received. I then placed the envelopes in a U.S. Depository within the Town of New Windsor.

Sworn to before me this

Myra L. Mason
Myra L. Mason, Secretary

21st day of November, 20 05


Notary Public

JENNIFER MEAD
Notary Public, State Of New York
No. 01ME6050024
Qualified In Orange County
Commission Expires 10/30/ 2006

PUBLIC HEARING NOTICE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

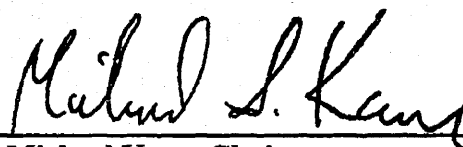
Appeal No. 05-67

Request of LEWIS SIGN CO. (for Straus Family Capital)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 160 square ft. area and; 4 ft Height variance for Free-standing sign at 59 Windsor Highway in a C Zone (9-1-38.21)

**PUBLIC HEARING will take place on DECEMBER 12, 2005
at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York
beginning at 7:30 P.M.**



Michael Kane, Chairman



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4631
Fax: (845) 563-3101

Assessors Office

October 25, 2005

Lewis Signs
26 Fluorescent Drive
Slate Hill, NY 10973

Re: 9-1-38.21 ZBA#: 05-67 (17)

To Whom It May Concern:

According to our records, the attached list of property owners are within five hundred (500) feet of the above referenced property.

The charge for this service is \$35.00, minus your deposit of \$25.00.

Please remit the balance of \$10.00 to the Town Clerk's Office.

Sincerely,

J. Todd Wiley, IAO
Sole Assessor

JTW/tmp
Attachments

CC: Myra Mason, Zoning Board

9-1-20.1
Route 32 Corp.
70 Windsor Highway
New Windsor, NY 12553

9-1-35
Adams, Veronica, Robert, Richard & Carol
RORICA Corp.
1129 Miamisburg Centerville Road
Dayton, OH 45449

9-1-39
Poorpeddler, Inc.
c/o Carl Friedwall
466 Round Lake Park Road
Monroe, NY 10950

9-1-50
New Terminal Corp.
c/o Myron Shevell
1-71 North Avenue East
Elizabeth, NJ 07201

9-1-106.1
Carmela & Joseph Monti, Jr.
54 Windsor Highway
New Windsor, NY 12553

11-1-3
Louis & Sandra VanLeeuwen
70 Windsor Highway
New Windsor, NY 12553

9-1-21.21
Henry & Louis VanLeeuwen
70 Windsor Highway
New Windsor, NY 12553

9-1-36
Central Valley Real Estate, Inc.
P.O. Box 487
Cornwall-On-Hudson, NY 12520

9-1-44.2
NY Central Lines, LLC
ATT: CSX
500 Water Street (J-910)
Jacksonville, FL 32202

9-1-51
Yonkers Contracting Co., Inc.
969 Midland Avenue
Yonkers, NY 10704

9-1-106.2 & 10-2-7
Mans Brothers Realty
P.O. Box 247
Vails Gate, NY 12584

11-1-4
Mehmet & Ceylan Mustafa
74 Windsor Highway
New Windsor, NY 12553

9-1-33
John Devitt
56 Devitt Circle
New Windsor, NY 12553

9-1-37.1
Occupations, Inc.
15 Fortune Road West
Middletown, NY 10940

9-1-48 & 49.2
Tilcon New York, Inc.
126 Old Mill Road
West Nyack, NY 10997

9-1-52
Empire Properties, LLC
100 Sterling Mine Road
Sloatsburg, NY 10974

9-1-107 & 109
Argenio Brothers, Inc.
P.O. Box 2068
Newburgh, NY 12550

Town of New Windsor
ZONING BOARD OF APPEALS
PUBLIC HEARING NOTICE

PLEASE TAKE NOTICE that the Zoning Board of Appeals of the TOWN OF NEW WINDSOR, New York, will hold a Public Hearing on the following Proposition:

Appeal No. 05-67
Request of LEWIS SKIN CO.
(for Strauss Family Capital)

for a VARIANCE of the Zoning Local Law to Permit:

Request for 160 square ft. area and; 4 ft Height variance for Free-standing sign at 59 Windsor Highway in a C Zone (9-1-38.21)

PUBLIC HEARING will take place on December 12, 2005 at the New Windsor Town Hall, 555 Union Avenue, New Windsor, New York beginning at 7:30 P.M.

MICHAEL KANE
CHAIRMAN

RECEIVED
NOV 30 2005

TOWN OF NEW WINDSOR
CONTROLLER'S OFFICE

Ad Number: 1819415 Advertiser: NEW WINDSOR, TOWN

Phone: 8455634615 Sys No: 1194114 Caller: MYRA

INVOKING CUSTOMER:

Phone: 8455634615 Sys No: 1194114 AcctNo: P.O. No:

Name: NEW WINDSOR, TOWN Subscriber:

Address: ZONING AND PLANNING

555 UNION AVENUE

NEW WINDSOR NY 12553

ORDER:

Printed By: THRFODDRIL Date: 11/22/2005 Assigned Sales: TownofNewWindsor ZONINGBOARDOFAPPEALS P AdType: LINER Order Type: NORMAL

Manual Delay: Box No: Call Back: Y

NOTES:

Change Reason:

INSERTION:

Product: THI Paper: TH Class: 999X; LEGAL BILLING

Schedule: Start Date - 11/25/2005 End Date - 11/25/2005

Sort: TOWN OF NEW WINDSORZONING BOARD OF APPEA

PRODUCTION:

Text Size: 2 x 27.00 ProdType: ENTERPRISE ColorNo: 0 Colors:

Tearsheets: 1 Proofs: 0 Affidavits: 1 Alt Addr: N

PRICING:

Price: 49.69 Payment Method: B1 Amount Paid: 0 Amount Owed: 49.69

PriceMethod: 0 (0=Normal, 1=User Net, 2=System Gross) Rate Code: LEL

For fields listed below 0 = NO 1 = YES

Tell Forbid: 0 Mult. Content: 0

TIMES HERALD-RECORD

40 Mulberry Street, Middletown, NY 10940

State of New York:

County of Orange: ss:

Patricia Foddrill

Being duly sworn deposes and says that the ORANGE COUNTY PUBLICATIONS Division of Ottaway Newspapers-Radio, Inc. is a corporation organized under the laws of the State of New York and is, at all the times hereinafter mentioned, was the printer and publisher of The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Rockland, Dutchess, Pike, PA, Delaware and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York, that deponent is the

Legal Advertising Rep.

of said The Times Herald-Record acquainted with the facts hereinafter stated, and duly authorized by said Corporation to make this affidavit; that the

Public Notice

a true printed copy of which is hereunto annexed, has been duly and regularly published in the manner required by law in said The Times Herald-Record in each of its issues published upon each of the following dates, to wit: In its issues of

11/25/05

Signature of Representative:

Sworn in before me this

28

Day of

Nov.

2005

Carol M. Montana

Notary Public, Orange County

CAROL M. MONTANA
Notary Public, State of New York
Sullivan County Clerk's #2041
Commission Expires Dec. 12, 20 06



Town of New Windsor

555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689

ZONING BOARD OF APPEALS

December 1, 2005

Lewis Signs (for Straus Family Capital Group)
26 Fluorescent Drive
Slate Hill, NY 10973

SUBJECT: REQUEST FOR VARIANCE #05-67

Dear Sir:

This is just to let you know your Notices for Public Hearing were mailed out and the notice was also sent to The Times Herald Record Newspaper for publication. **PLEASE NOTE: The charge for publication in the Times Herald Record will be deducted from your escrow that was posted with your application papers.**

Your Public Hearing before the Zoning Board of Appeals for your requested variance at:

Straus Family Capital Group
Windsor Highway
New Windsor, NY

is scheduled for the DECEMBER 12, 2005 agenda.

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have any questions or concerns in this matter, please feel free to contact me.

Very truly yours,

Myra Mason, Secretary
Zoning Board of Appeals

MLM:mlm

October 24, 2005

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LEWIS_SIGN_COMPANY_(05-67)

MR. KANE: Request for 160 square foot area and 4 ft. height variance for freestanding sign at 59 Windsor Highway.

Ms. Charlene DiNunzio appeared before the board for this proposal.

MS. DINUNZIO: Do you have pictures I think?

MR. KANE: Yes.

MS. DINUNZIO: But the top of the sign would be 4 foot by 9 foot which would be 36 feet and then there are three sets of 4 x 3 panels which would be another 36 feet overall, so it would be 72 per side, I think we're allowed 64 without the variance if I'm correct. Right?

MR. KANE: I'll check with the mathematician at the table.

MR. REIS: She means 36 inches.

MS. DINUNZIO: Thirty-six square feet and then 36 on the top would make 72, so we need the 72 on the one side and the I believe it would be 8 feet for the side that's over here.

MR. KANE: And the signs that are going to be going into the place are going to meet all of the standards?

MS. DINUNZIO: Definitely, our height is a little low, I think we're 19 feet for traffic to give enough clearance but basically most of that is header.

MR. KANE: Okay, can you, I'm just trying to see can you show us where the placement of the sign is going to be on the property?

MS. DINUNZIO: There should be some other pictures, yeah, where the old sign is in that box area.

MR. KANE: On the other side?

MS. DINUNZIO: Yes.

MR. KANE: Placement of the sign you would say would probably be about 15, 18 feet off the road?

MS. DINUNZIO: At least, yeah, you're going to be, to be at least a car length ahead so you can see before pulling out.

MR. KANE: This is replacing an existing sign that Devitt's had there previously?

MS. DINUNZIO: Yes.

MR. KANE: Is the sign illuminated in any fashion?

MS. DINUNZIO: I believe it's aluminum so I don't think, so it might be, I don't--

MR. KANE: We would want to check that for the public hearing, make sure on the illumination and if there's illumination what kind of illumination it is.

MS. DINUNZIO: Aluminum with vinyl so I mean I'm confused because I don't know how you light up aluminum.

MR. REIS: Maybe exterior lit.

MR. KANE: That information we'll need for the public hearing.

MS. DINUNZIO: I'll bring you a sample, okay.

MR. KANE: See that's exactly why we go through

October 24, 2005

16

preliminaries because if you didn't have everything here.

MS. DINUNZIO: Yeah and I'm confused on that.

MR. KANE: That's the only thing we'd need, just check one other thing on your pictures.

MR. BABCOCK: These are the three signs you're talking about.

MS. DINUNZIO: No, those were the building signs that we have permits for, those are the wall signs, this is the pylon.

MR. KANE: This whole thing right here, Mike, do you have the referral sheet?

MR. BABCOCK: I'm sure.

MR. KANE: Is that the only sign that you're going to need for this project?

MS. DINUNZIO: We did get approval for those three and I'm sure as more tenants come in they may need small wall signs to go over the entrances but that would be it.

MR. KANE: Okay, everything else seems to be in order.

MS. DINUNZIO: I'll check on that because I'm confused myself.

MR. KANE: The other thing I would like is just a clear picture showing the traffic on 32 coming from the sign although I know personally that it's not going to inhibit vision, I'd like to have that in for the record.

MS. DINUNZIO: Sure.

MR. KANE: I'll accept a motion unless somebody has other questions.

MR. BROWN: Make a motion--

MR. BABCOCK: Well, are you counting this sign here?

MS. DINUNZIO: Yes, I am, that's 9 feet by 4 feet.

MR. KANE: Square off.

MS. DINUNZIO: That's 36.

MR. BABCOCK: This is a lot more than four foot, ma'am, from here to here.

MS. DINUNZIO: That's just the way they did it in the rendering but it's only 4 feet high and this is 9 feet wide.

MR. BABCOCK: It's 4 foot from here to here?

MS. DINUNZIO: Yes and this is 4 feet or maybe I'm wrong, maybe this is 9 and this is 4 cause these are 3 across so this is six inches on each side would be 4, right 4, 9, 36 and then--

MR. BABCOCK: Are you counting these three?

MS. DINUNZIO: Well, these are doubles.

MR. BABCOCK: Are you counting these three though?

MS. DINUNZIO: Yeah, cause this is 4 x 3 for two panels and we have three panels it says on the--

MR. BABCOCK: Do you have 6 or 3 panels?

MS. DINUNZIO: We have three panels divided in half to

make six panels, this is vinyl in here, okay, you can see.

MR. BABCOCK: Right now you're right now on this sign you're showing three signs?

MS. DINUNZIO: Yes.

MR. BABCOCK: But you'll be showing six?

MS. DINUNZIO: Right but they're three, it's sections cut in half to make six signs, there's going to be a line, a vinyl line.

MR. KANE: Doesn't matter to us, there's six signs, I don't care how many sections there are.

MR. BABCOCK: We're taking the entire sign.

MR. KANE: Right, I know how you do it, we just want to make sure we have the right numbers for when we put it in the paper and go to the public hearing.

MS. DINUNZIO: It's 80 square feet.

MS. MASON: We can verify that.

MS. DINUNZIO: Don't want me to get you those samples?

MS. MASON: I'll talk to you about that.

MR. KANE: We had one other question, there's no easements or right-of-ways where the sign's going?

MS. DINUNZIO: No.

MR. KANE: I'll accept a motion.

MR. BROWN: That we set up Lewis Sign Company for Straus Family Capital for a public hearing request for

October 24, 2005

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160 square foot area and 4 foot height variance for freestanding sign at 59 Windsor Highway.

MS. LOCEY: I'll second it.

MR. KANE: One quick question I did forget, the height of the sign is similar to other signs that are in that specific area? Gallagher's is a little further down.

MS. DINUNZIO: Right and I have pictures I will bring at the hearing.

MR. KANE: Roll call.

ROLL CALL

MS. GANN	AYE
MS. LOCEY	AYE
MR. BROWN	AYE
MR. REIS	AYE
MR. KANE	AYE



RESULTS OF Z.B.A. MEETING OF: 1st October 2005

PROJECT: Lewis Sign Co - for Straus Family ZBA # 05-67
P.B.# _____

USE VARIANCE: _____ NEED: EAF _____ PROXY _____



LEAD AGENCY: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

PUBLIC HEARING: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

NEGATIVE DEC: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MCDONALD _____ CARRIED: Y _____ N _____
REIS _____
KANE _____

ALL VARIANCES - PRELIMINARY APPEARANCE:

SCHEDULE PUBLIC HEARING: M) B S) L VOTE: A 5 N 0

GANN A
LOCEY A
BROWN A
~~MCDONALD~~
REIS A
KANE A

CARRIED: Y ✓ N _____

PUBLIC HEARING: _____ STATEMENT OF MAILING READ INTO MINUTES _____

VARIANCE APPROVED: M) _____ S) _____ VOTE: A _____ N _____

GANN _____
LOCEY _____
BROWN _____
MC DONALD _____
REIS _____
KANE _____

CARRIED: Y _____ N _____

Check illumination -
Clear picture showing traffic vs sign
Double Check the number calculation

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

RECEIPT OF ESCROW RECEIVED:

DATE RECEIVED: 10-18-05

FOR: ESCROW 05-67

FROM:

Lewis Signs
26 Fluorescent Drive
Slate Hill, NY 10973
ATTN: SHARLENE DI NUNZIO

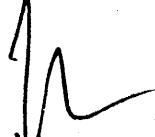
FOR: STRAUS FAMILY CAPITAL - 59 WINDSOR HIGHWAY

CHECK NUMBER: 16924

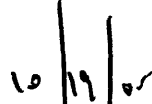
TELEPHONE: 355-2651

AMOUNT: 500.00

RECEIVED AT COMPTROLLER'S OFFICE BY:



NAME



DATE

PLEASE RETURN ONE SIGNED COPY TO MYRA FOR FILING

THANK YOU

Town of New Windsor
555 Union Avenue
New Windsor, NY 12553
(845) 563-4611

RECEIPT
#998-2005

10/19/2005

Lewis Sign Co. LLC

Received \$ 150.00 for Zoning Board Fees, on 10/19/2005. Thank you for
stopping by the Town Clerk's office.

As always, it is our pleasure to serve you.

Deborah Green
Town Clerk

ZBA # 05-67 application fee



Town of New Windsor

**555 Union Avenue
New Windsor, New York 12553
Telephone: (845) 563-4615
Fax: (845) 563-4689**

ZONING BOARD OF APPEALS

October 18, 2005

**Lewis Signs
26 Fluorescent Drive
Slate Hill, NY 10973
ATTN: SHARLENE DI NUNZIO**

SUBJECT: REQUEST FOR VARIANCE #05-67

Dear Ms. Di Nunzio:

This letter is to inform you that you have been placed on the October 24, 2005 agenda for the Zoning Board of Appeals to discuss your request for a variance at:

**59 Windsor Highway
New Windsor, NY**

This meeting starts at 7:30 p.m. and is held in the Town Meeting Room at Town Hall. If you have a problem with this time and/or date, please contact me at the above number and we will reschedule your appearance. If you have any further questions, please feel free to contact me.

Very truly yours,

**Myra Mason, Secretary
Zoning Board of Appeals**

MLM:mlm

TOWN OF NEW WINDSOR

REQUEST FOR NOTIFICATION LIST

DATE: 10-18-05 PROJECT NUMBER: ZBA# 05-67 P.B. # _____

APPLICANT NAME: LEWIS SIGNS (for Straus Family Capital)

PERSON TO NOTIFY TO PICK UP LIST:

Lewis Signs
26 Fluorescent Drive
Slate Hill, NY 10973
ATTN: SHARLENE DI NUNZIO

TELEPHONE: 355-2651 (SHARLENE)

TAX MAP NUMBER:	SEC. <u>9</u>	BLOCK <u>1</u>	LOT <u>38.21</u>
	SEC. _____	BLOCK _____	LOT _____
	SEC. _____	BLOCK _____	LOT _____

PROPERTY LOCATION: 59 WINDSOR HIGHWAY
NEW WINDSOR, NY

THIS LIST IS BEING REQUESTED BY:

NEW WINDSOR PLANNING BOARD: _____

SITE PLAN OR SUBDIVISION: (ABUTTING AND ACROSS ANY STREET) _____

SPECIAL PERMIT ONLY: (ANYONE WITHIN 500 FEET) _____

AGRICULTURAL DISTRICT:
 (ANYONE WITHIN THE AG DISTRICT WHICH IS WITHIN 500'
 OF SITE PLAN OR SUBDIVISION PROJECT) _____

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

NEW WINDSOR ZONING BOARD XXX

LIST WILL CONSIST OF ALL PROPERTY WITHIN 500 FEET OF PROJECT XXX

❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖ ❖

AMOUNT OF DEPOSIT: 25.00 CHECK NUMBER: 17164

TOTAL CHARGES: _____



**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**



APPLICATION FOR VARIANCE

Date

Application Type: Use Variance ☐ Area Variance ☐
Sign Variance ☐ Interpretation ☐

I. **Owner Information:** Phone Number: (914) 882-9910
STRAUS FAMILY CAPITAL Fax Number: () Joe Wilson
(Name)
7 NORTHERN GATE Cold Spring NY 10516
(Address)

II. **Applicant:** Sharlene
LEWIS SIGNS FOR Phone Number: (845) 355-2651
(Name) DEVITT'S MEDICAL CTR. Fax Number: (845) 355-8249
(Address)

III. **Forwarding Address, if any, for return of escrow:** Phone Number: Sharlene
LEWIS SIGN CO. LLC Fax Number: (845) 355-2651
(Name) (845) 355-8249
26 Fluorescent Drive Slate Hill NY 10913
(Address)

IV. **SIGN Contractor/Engineer/Architect/Surveyor/:** Phone Number: Sharlene
LEWIS SIGN CO. LLC Fax Number: (845) 355-2651
(Name) (845) 355-8249
26 Fluorescent DR. Slate Hill NY 10913
(Address)

V. **Property Information:**
Zone: C Property Address in Question: 59 WINDSOR Highway
Lot Size: _____ Tax Map Number: Section 9 Block 1 Lot 38.21
a. What other zones lie within 500 feet? _____
b. Is pending sale or lease subject to ZBA approval of this Application? NO
c. When was property purchased by present owner? _____
d. Has property been subdivided previously? _____ If so, When: _____
e. Has an Order to Remedy Violation been issued against the property by the
Building/Zoning/Fire Inspector? NO
f. Is there any outside storage at the property now or is any proposed? NO

****PLEASE NOTE:****

THIS APPLICATION, IF NOT FINALIZED, EXPIRES ONE YEAR FROM THE DATE OF SUBMITTAL.

COMPLETE THIS PAGE ☐

**TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

- IX. In making its determination, the ZBA shall take into consideration, among other aspects, the benefit to the applicant if the variance is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. Also, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance; (2) whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance; (3) whether the requested area variance is substantial; (4) whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district; and (5) whether the alleged difficulty was self-created.

After reading the above paragraph, please describe why you believe the ZBA should grant your application for an Area Variance:

Because a sign at roadside would help to keep traffic flowing - being a medical center there will be a number of tenants in the building and sign must be large enough to make tenants visible to the elderly as well as regular traffic on a very busy strip of highway. Sign will not impede visibility in and out of facility.

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**OWN OF NEW WINDSOR
ZONING BOARD OF APPEALS**

APPLICATION FOR VARIANCE - continued

X. SIGN VARIANCE:

- (a) Variance requested from New Windsor Zoning Local Law,
Section 48-18 H(1) a(2) Supplementary Sign Regulations

	<u>Requirements</u>	<u>Proposed or Available</u>	<u>Variance Request</u>
Sign #1	15' max HT.	19' max HT	4' ht. variance
Sign #1 also:	64 sq. ft.	108 sq ft one	
Sign #3	all sides	SIDE	152 sq. ft.
Sign #4			variance

- (b) Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or oversized signs.

ONE FREESTANDING DOUBLE SIDED DIRECTORY
(12 sq ft) WITH 3 4'x6'w panels (12'x6') and a
(36 sq ft) 4'x9' header for an overall height of
19 ft. and an overall square footage
of 108 sq. ft. per side

- (c) What is total area in square feet of all signs on premises including signs on windows, face of building and freestanding signs 3 2 1/2'x10' wall signs? cc: attached
75 sq. ft.

XI. INTERPRETATION:

- (a) Interpretation requested of New Windsor Zoning Local Law,
Section _____

- (b) Describe in detail the proposal before the Board:

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XII. ADDITIONAL COMMENTS:

- (a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning Local Law is fostered. (Trees, landscaped, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)
- _____
- _____

XIII. ATTACHMENTS REQUIRED:

- ☐ Copy of contract of sale, lease or franchise agreement. Copy of deed and title policy.
- ☐ Copy of site plan or survey (if available) showing the size and location of the lot, buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.
- ☐ Copies of signs with dimensions and location.
- ☐ Three checks: (each payable to the TOWN OF NEW WINDSOR)
- ☐ One in the amount of \$ 300.00 or 500.00 (escrow)
- ☐ One in the amount of \$ 50.00 or 150.00 (application fee)
- ☐ One in the amount of \$ 25.00 (Public Hearing List Deposit)
- ☐ Photographs of existing premises (5 or 6) from several angles. (IF SUBMITTING DIGITAL PHOTOS PRINTED FROM COMPUTER - PLEASE SUBMIT FOUR (4) SETS OF THE PHOTOS.) Need Pictures of Signs + the Building or location they are going in. Need Pictures taken from the roadway to show that view of traffic is not blocked.

XIV. AFFIDAVIT:

STATE OF NEW YORK)

) SS.:

COUNTY OF ORANGE):

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/her information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

Sworn to before me this:

22nd day of September 20 05
Mary C. Bryde

MARY C. BRYDE

Notary Public, State of New York
No. 4867523

Qualified in Putnam County

Signature and Seal of Notary

[Signature]
 Owner's Signature (Notarized)

ARI STRAUSS
 Owner's Name (Please Print)

Sharon Disenza agent
 Applicant's Signature (If not Owner)

PLEASE NOTE:

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COMPLETE THIS PAGE []

APPLICANT/OWNER PROXY STATEMENT (for professional representation)

for submittal to the:
TOWN OF NEW WINDSOR ZONING BOARD OF APPEALS

STRAUSS Family Capital, deposes and says that he resides
(OWNER)
at 59 Windsor Highway in the County of Orange
(OWNER'S ADDRESS)

and State of New York and that he is the owner of property tax map
(Sec. 9 Block 1 Lot 38.21)
designation number (Sec. _____ Block _____ Lot _____) which is the premises described in

the foregoing application and that he authorizes:

Lewis Sign Co. LLC 26 Fluorescent Drive
(Applicant Name & Address, if different from owner) State Hill NY 10973
Sharlene DiDunzio for Lewis Sign Co. LLC State Hill
(Name & Address of Professional Representative of Owner and/or Applicant) NY 10973

to make the foregoing application as described therein.

Date: 9/22/05

Sworn to before me this:
22nd day of September 2005

Mary C. Bryde

MARY C. BRYDE
Notary Public, State of New York
No. 4867523

Signature and Seal of Notary Public
Qualified in Orange County
Commission Expires August 18, 2006

** [Signature]
Owner's Signature (MUST BE NOTARIZED)

[Signature]
Applicant's Signature (If different than owner)
Sharlene DiDunzio, agent
Representative's Signature

THIS FORM IS TO BE COMPLETED ONLY IF SOMEONE OTHER THAN THE PROPERTY OWNER WILL BE APPEARING AS REPRESENTATION OF THE OWNER AT THE Z. A. MEETINGS.

**** PLEASE NOTE:**

ONLY OWNER'S SIGNATURE MUST BE NOTARIZED.

COMPLETE THIS PAGE ☐

EB. 14. 2005 8:59AM

OXFORD MED WP NY

NO. 546 P. 2

STRAUS FAMILY CAPITAL GROUP

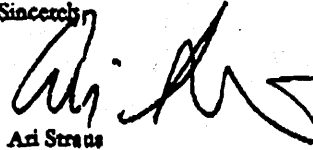
February 9, 2005

Lewis Sign Company
26 Fluorescent Drive
Slate Hill, New York 10973

Dear Sir or Madam:

This letter is to inform any and all necessary parties that I have given permission to Lewis Sign Company to apply for a sign permit on my behalf as building owner at 59 Windsor Highway in New Windsor, NY. If you need any further clarification of details please call 914-882-9910.

Sincerely,



Ari Straus

Managing Partner Straus Family Capital Group